

#9 (INTERVIEW)
Summary PP
Kennedy, P.
3/19/03

Interview Summary	Application No. 09/845,923	Applicant(s)
	Examiner Patricia Patten	Art Unit 1654

All participants (applicant, applicant's representative, PTO personnel):

(1) Patricia Patten

(3) _____

(2) Mr. Jack Schwartz

(4) _____

Date of Interview Mar 19, 2003

Type: a) Telephonic b) Video Conference
c) Personal [copy is given to 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No. If yes, brief description:

Claim(s) discussed: 4-8, 10-19, 21, 22, 24-28, and 30-32

Identification of prior art discussed:

Product Alert (1998) and Miner (2002)

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Schwartz argued that the prior art did not teach the intended use for abrading skin and that the prior art taught away from rubbing the product in to the skin. Discussed the pending rejections, I relayed to Mr. Schwartz that the product appeared to be the same product, and that the intended use of the product did not make the claimed product patentably distinct from the prior art product. Mr. Schwartz discussed some proposed amendments to the claims. It was relayed to Mr. Schwartz that any amendments to the claims would be considered as long as a new search or consideration would not be in order, and if there is no new matter in the claims.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required